

from phenyl, pyridyl or naphthyl,

BS
Sub
E7
G⁵ is -COR¹⁶

R¹⁶ is selected from the group consisting of trifluoromethyl, C₁-C₆-alkoxy, C₃-C₆-alkenyloxy, and benzyloxy.

50. The pharmaceutical composition according to claim 12, wherein the pharmaceutical composition is present in a solid, peroral administrable form as a tablet, capsule, coated tablet, or as a liquid, peroral administration solution, suspension, effervescent tablet, in the form of tabs or sachets, which may be in the form of a suitable injection or infusion preparation together with suitable pharmaceutically acceptable carriers and adjuvants, in the form of a concentrate, powder or lyophilisate, in the form of a gastrointestinal therapeutic system (GITS) for systemic treatment, in the form of a salve, suspension, emulsion, a balm or plaster or in the form of an externally applicable solution, in the form of a rectal, genital, or transurethral administration emulsion, a solution, a liposomal solution, an implant, suppository or a capsule, or in the form of a composition capable of being applied nasally.

REMARKS

Upon entry of the present amendment, claims 2-8, 12, 14, and 24 have been amended, claims 1, 9-11, 13, 15-23, and 25-31 have been canceled, claims 32-50 have been added, and claims 2-8, 12, 14, 24, and 32-50 are pending. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

1. Rejections under 35 USC 112, Second Paragraph

- a) As suggested by the Examiner, the term "such as" has been deleted from the claims.
- b) As suggested by the Examiner, "hydrated" has been changed to "hydrogenated".
- c) Alkenylene now has a proper antecedent basis. Claim 6 is dependent on claim 5, claim 5 is dependent on claim 4, and claim 4 is dependent on claim 3. Each of claims 3, 4, 5 and 6 indicate that "A" may be alkenylene.
- d) As suggested by the Examiner, the spelling of "diensaureamide" has been corrected.
- e) Claim 8 has been rewritten as an independent method claim.
- f) Claims 11, 13 and 31 have been canceled. Claim 24 has been amended to be dependent on claim 12.
- g) As suggested by the Examiner, "suitable nucleofuge" has been deleted from all claims.
- h) Applicants believe that with the amendments made herein, the term "residue" has been deleted from all claims.
- i) Claim 8 has been rewritten to delete "according to method variant".
- j) Claims 9-11 and 13 have been deleted.
- k) As suggested by the Examiner, claim 24 has been amended to recite a single dose range. Dependent claims 46-48 have been added to further describe dosage amounts.

2. Rejections under 35 USC 112, First Paragraph

Claims 1, 9-11, 13, 15-23 and 25-31 have been canceled. Claim 12 has been rewritten as an independent pharmaceutical composition claim, and claims 14 and 24 are dependent on claim 12.

New independent claims 33 and 49 are now directed to a method of inhibiting tumor cell growth. Applicants submit

that "treatment of tumor cell growth" is enabled as the specification describes inhibition of colon, lung, liver and leukemia. Given the diversity of these cell types, Applicants respectfully submit that nothing more is required to enable "treatment of tumor cell growth".

Claim 14 and new dependent claim 50 now recites the various forms that the pharmaceutical composition of claim 12 may be administered. These forms of administration are described in the specification and are known to one of ordinary skill in the art. Hence, Applicant respectfully submits that the forms of administration in claims 14 and 50 are enabled.

3. Rejections under 35 USC 102

All composition claims have been amended to exclude certain compounds from the claims. Support for this amendment is at page 2, lines 21-23 of the specification. Applicants respectfully submit that in view of the amendments, the claims are no longer anticipated by J. Med. Chem. reference, the '782 reference or the '045 reference.

Information Disclosure Statement

The full citations for two references submitted on 1/3/01 are as follows.

Nr. 86013, Rote Liste 1997, Editio Cantor Verlag, Aulendorf, Germany. (Please note that Rote Liste does not have an author, however, is a compendium for medicaments used in Germany.)


M. Eder, P. Gedigk, Ed., "Allgemeine Pathologie und Pathologische Anatomie", Springer Verlag, Berlin, 33th. Ed., 1990, 208-213.

Conclusions

In view of the above amendments and remarks, applicants respectfully request that the pending claims be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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